

**REMARKS**

Claims 8-12 have been amended and Claim 13 has been cancelled. No new matter has been added by the amendment. Claims 8-12 are now pending. Reconsideration and allowance of the application, as amended, are respectfully requested.

Applicants have amended the specification at page 16 as requested by the Examiner. Applicants have also made several other amendments to the specification to correct minor typographical errors. No new matter has been added.

The Examiner objected to Claim 13. Claim 13 has been cancelled herein and therefore removal of this objection is requested.

Claims 9-13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. With respect to Claims 9 and 11, the Examiner states that they have insufficient antecedent basis for the limitation "the number of pores" and "the opening sizes of the pores". Applicants have amended Claim 9 and 11 accordingly and removal of this rejection is requested.

With respect to Claim 10, the Examiner states that the term "compression deformation amount" is a relative term, which renders the claim indefinite. In this regard, Applicants have amended Claim 10 to define how the compression deformation amount is calculated. Support for this amendment can be found at page 16, lines 10-15 of the original specification and paragraph 47 of the published application. Therefore, removal of this rejection is requested.

With respect to Claim 12, the Examiner states that the claim is incomplete for omitting essential steps and that the omission amounts to a gap between the steps. In this regard, Applicants have amended Claim 12 to recite that the plurality of glass workpieces are polished on the same apparatus and by the method of Claim 8. It is respectfully submitted that Claim 12 now meets the requirements of 35 U.S.C. § 112, second paragraph and removal of this rejection is requested.

The Examiner also objected to Claim 13. As noted above, Claim 13 has been cancelled.

Claims 8, 10 and 13 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,371,834 by Fujimura et al. Independent Claim 8 has been amended to recite that when polishing a surface of a glass workpiece, a specific polishing pad is used. The polishing pad includes a nap layer having an inner layer and an outer

layer and the inner layer contains a plurality of closed cells. A plurality of pores are formed on the surface of the outer layer, and the size of pores are minute compared to those of the closed cells. Support for this amendment can be found, for example, at page 3, lines 2-5 of the specification and paragraph [0005] of the published application. None of the cited references discloses or suggests this feature.

Claims 9 and 11 have been rejected as being unpatentable over Fujimura et al. in view of U.S. Patent No. 6,890,244 by Hsu et al. Claims 9 and 11 both depend upon independent claim 8, discussed above. Hsu et al. also does not disclose or suggest the recited features of Claim 8. Therefore, removal of this rejection is requested.

Claim 13 has been rejected under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 6,322,425 by Darcangelo et al. Claim 13 has been cancelled.

Claims 8-13 have been rejected on the ground of nonstatutory obviousness-type double patenting over U.S. Patent No. 6,736,705 by Benning et al.; U.S. Patent No. 6,749,487 by Okuhata et al.; U.S. Patent No. 6,852,003 by Tajima et al.; and U.S. Patent No. 6,932,677 by Nakano et al. In view of the foregoing amendment to independent Claim 8, it is respectfully submitted that none of the foregoing patents constitute grounds for a nonstatutory obviousness-type double patenting rejection. Therefore, removal of these rejections is requested.


In view of the foregoing amendment and remarks, it is respectfully submitted that Claims 8-12 are in condition for allowance and such action is respectfully requested.

A check for a 3-month extension of time accompanies this paper. Applicants do not believe that any additional fees are due with the filing of this Response to Office Action. However, if any additional fees are due, please debit those fees from Deposit Account No. 50-1419.

Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecute and or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By:   
David F. Dockery  
Registration No. 34,323  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(303) 338-0997

Date: May 23, 2006